

by 20 years. He was also instrumental in the formation of the Vermont State College system and he authored a fair dismissal bill for educators.

Although Graham Newell was a Vermont delegate to the Republican National Convention in 1956 and 1964, he was one of the great practitioners of a long Vermont tradition of non-partisan politics. He became involved in government reform, serving on the Little Hoover Commission that reorganized Vermont's State agencies, and he was appointed by President Kennedy to the National Advisory Commission on Inter-Governmental Relations. A founding member of the American Civil Liberties Union of Vermont, he championed a strict separation of church and State by opposing public busing for parochial schools.

As the resident Vermont historian at Lyndon State, he was responsible for naming all of its buildings after notable Vermonters. And, in a wonderful instance of turnabout is fair play, St. Johnsbury Academy recently honored him by renaming its foreign languages building Newell Hall.

Above all he valued equality and equal opportunity, principles that no doubt derived from his Vermont upbringing, his long study and admiration for Roman history and from his work in education.

Graham Newell taught Latin at St. Johnsbury Academy well into his nineties, long after he retired from his professorship at Lyndon State College. The indelible mark he made on the communities of St. Johnsbury and Lyndonville will not soon be forgotten. These communities need only look to the countless students whose lives he touched to see the effect he had on them.

Mr. Newell earned countless awards as an outstanding educator, historian and model citizen, including being named the Vermont Chamber of Commerce's Man of the Year in 2005.

It is exemplary citizens such as Graham Newell who have earned Vermont its reputation for civic leadership and principled politics, for sound reasoning in government, and for rising above partisan labels. Today, we honor his memory by recognizing his great commitments: to responsible citizenship, to superior education for all, to teaching, and to public service, and to shaping a future that will be worthy of our past.●

#### RETIREMENT OF GENERAL RICHARD CODY

● Mr. STEVENS. Mr. President, after 36 years of service to our Nation, GEN Dick Cody will conclude his military career on August 1. I salute his leadership and honor his lovely wife Vicki, for her invaluable support of her husband and our soldiers.

Dick Cody began his service more than 40 years ago, leaving his family's car dealership in Vermont and reporting to West Point.

He has served our Nation on battlefields and bases around the world, commanding our soldiers, including the famed Screaming Eagles of our 101st Airborne Division.

General Cody's service as operations officer and later vice chief of staff, reminds me of GEN George C. Marshall's service as our Army's Chief of Staff during World War II. Marshall noted that before the war, he had "time" to prepare the Army, but "no money."

After France fell to the Nazis, Marshall said he had "money, but no time." Dick Cody faced similar circumstances and deserves our gratitude for preparing our soldiers to fight the war against terrorism.

Our Army entered this war with significant equipment shortages. Our forces were organized to fight the Cold War rather than the vastly different global war on terror.

Since September 11, 2001, with funds provided by Congress, Cody has directed the fielding of 94 new Army equipment programs worth over \$100 billion. He orchestrated the Army's largest restationing and construction program in 70 years. He directed the most sweeping transformation of our Army since the dawn of mechanized warfare.

He oversaw the conversion of our Reserve components to a critical part of our operational forces, and supervised the addition of 65,000 new soldiers to our forces. He has also been instrumental in ensuring our wounded soldiers receive the treatment and care which they deserve.

Vicki Cody supported her husband, and his soldiers, throughout their 33 years of marriage. She cared for our military families during training missions and deployments, often while her own husband was serving far from his family.

Dick and Vicki raised two sons, Clint and Tyler, both U.S. Army captains, with six combat deployments between them. When young Dick Cody left Vermont, and Cody Chevrolet, he truly started a new "family business."

Our Nation is grateful for his leadership, and we wish him and Vicki all the best as they begin a new chapter of their lives.●

#### MESSAGE FROM THE HOUSE

#### ENROLLED JOINT RESOLUTION SIGNED

At 5:53 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker pro tempore (Mr. HOYER) has signed the following enrolled joint resolution:

H.J. Res. 93. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The joint resolution was subsequently signed by the President pro tempore (Mr. BYRD).

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3344. A bill to defend against child exploitation and child pornography through improved Internet Crimes Against Children task forces and enhanced tools to block illegal images, and to eliminate the unwarranted release of convicted sex offenders.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3348. A bill to provide for the investigation of certain unsolved civil rights crimes, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7253. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of the rule "17 CFR Parts 36 and 40 (73 FR 8599, February 14, 2008), Amendments Pertinent to Registered Entities and Exempt Commercial Markets" (RIN3038-AC39) received on July 24, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7254. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral John G. Cotton, United States Navy Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7255. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Charles E. Croom, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7256. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John F. Goodman, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7257. A communication from the Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report on the transaction involving exports to Ghana; to the Committee on Banking, Housing, and Urban Affairs.

EC-7258. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary rule (Closure of the Trimester II Directed Fishery for Loligo Squid)" (RIN0648-XJ06) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7259. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Mexico" (RIN0648-XJ09) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7260. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department

of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Gulf of Alaska" (RIN0648-XJ10) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7261. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Gulf of Alaska" (RIN0648-XJ07) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7262. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XD56) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7263. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Sea Turtle Conservation; Observer Requirement for Fisheries" (RIN0648-AU81) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7264. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XB28) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7265. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Approval of Haddock Rope Trawl Gear Use in Two Special Management Programs of the Northeast Multispecies Fishery Management Plan" (RIN0648-AW53) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7266. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (ID No. 021407E) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7267. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XD72) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7268. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish; Effectiveness of Permit and Reporting Requirements" (RIN0648-AU22) received on July 24,

2008; to the Committee on Commerce, Science, and Transportation.

EC-7269. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (ID No. 022707B) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7270. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XE62) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7271. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-AU90) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7272. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XE66) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7273. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-AS01) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7274. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (ID No. 022707C) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7275. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan" (RIN0648-XD38) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7276. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Correcting Amendment to 50 CFR 680.40(j)(3)(i) and (j)(3)(i) and (j)(3)(ii)" (RIN0648-AW88) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7277. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE66) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7278. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Additional Protocol Regulations" (RIN0694-AD26) received on July 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7279. A communication from the Secretary of Health and Human Services, transmitting a draft bill intended to amend title IV-D of the Social Security Act to make changes necessary to ensure that the United States will be able to comply fully with the requirements of any multilateral child support convention to which the United States is a party; to the Committee on Finance.

EC-7280. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cost Allocation Methodology Applicable to the Temporary Assistance for Needy Families Program" (RIN0970-AC15) received on July 24, 2008; to the Committee on Finance.

EC-7281. A communication from the Acting Social Security Administration Regulations Officer, Office of the Commissioner, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Technical Changes to the Title II Amendments" (RIN0960-AG43) received on July 24, 2008; to the Committee on Finance.

EC-7282. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Farmer and Fisherman Income Averaging" (RIN1545-BE39) received on July 24, 2008; to the Committee on Finance.

EC-7283. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—August 2008" (Rev. Rule 2008-43) received on July 24, 2008; to the Committee on Finance.

EC-7284. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief from Certain Low-Income Housing Credit Requirements Due to Severe Storms and Flooding in Missouri" (Notice No. 2008-66) received on July 24, 2008; to the Committee on Finance.

EC-7285. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more to the Government of the Republic of Korea; to the Committee on Foreign Relations.

EC-7286. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services to support the replication of the Have Quick I/II and

SATURN Electronic Counter-Counter Measure for integration into Radio Communications Equipment; to the Committee on Foreign Relations.

EC-7287. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification involving the temporary export of a commercial communications satellite to Russia and Kazakhstan for launch in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-7288. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, transmitting, pursuant to law, the report of a rule entitled "Intensive Confinement Center Program Final Rule" (RIN1120-AB39) received on July 24, 2008; to the Committee on the Judiciary.

EC-7289. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, transmitting, pursuant to law, the report of a rule entitled "Inmate Work and Performance Pay Program: Reduction in Pay for Drug and Alcohol-Related Disciplinary Offenses Final Rule" (RIN1120-AB33) received on July 24, 2008; to the Committee on the Judiciary.

EC-7290. A joint communication from the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report entitled, "Annual Report of the Pension Benefit Guaranty Corporation"; to the Committee on Health, Education, Labor, and Pensions.

EC-7291. A communication from the Secretary and Director, Office of Secretary and Administration, Postal Regulatory Commission, the report of a nomination for the position of Commissioner, Postal Regulatory Commission received on July 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7292. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Determinations" (44 CFR Part 65) received on July 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7293. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (73 CFR Part 64) received on July 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7294. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, notification that the cost of response and recovery efforts for FEMA-3287-EM in the State of California has exceeded the \$5,000,000 limit; to the Committee on Homeland Security and Governmental Affairs.

EC-7295. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Sufficiency Certification for the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2009"; to the Committee on Homeland Security and Governmental Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the na-

ture of a substitute and an amendment to the title:

H.R. 4056. A bill to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1703. A bill to prevent and reduce trafficking in persons.

S. 2756. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 3346. A bill to amend title II of the Social Security Act to provide that wages earned, and self-employment income derived, by individuals while such individuals were not citizens or nationals of the United States and were illegally in the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title; to the Committee on Finance.

By Mr. CASEY:

S. 3347. A bill to amend the Elementary and Secondary Education Act of 1965 to create a demonstration project to fund additional secondary school counselors in troubled title I schools to reduce the dropout rate; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COBURN:

S. 3348. A bill to provide for the investigation of certain unsolved civil rights crimes, and for other purposes; read the first time.

By Ms. COLLINS:

S. 3349. A bill to increase energy assistance for low-income persons, to extend energy tax incentives, and for other purpose; to the Committee on Finance.

By Mr. SCHUMER:

S. 3350. A bill to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BIDEN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 3351. A bill to enhance drug trafficking interdiction by creating a Federal felony for operating or embarking in a submersible or semi-submersible vessel without nationality and on an international voyage; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for Mr. KENNEDY):

S. 3352. A bill to temporarily extend the programs under the Higher Education Act of 1965; considered and passed.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mrs. McCASKILL, Mr. SPECTER, Mr. CORNYN, and Mr. CARDIN):

S. Con. Res. 95. A concurrent resolution expressing the sense of Congress that a site to be selected by the Secretary of the Army should be provided for a memorial marker to honor the memory of the 40 members of the Armed Forces who lost their lives in the air

crash at Bakers Creek, Australia, on June 14, 1943; to the Committee on Armed Services.

#### ADDITIONAL COSPONSORS

S. 535

At the request of Mr. DODD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 604

At the request of Mr. LAUTENBERG, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 648

At the request of Mr. CHAMBLISS, the names of the Senator from Florida (Mr. NELSON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 1177

At the request of Mr. CARPER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1177, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 1201

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1201, a bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1492

At the request of Mr. INOUE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1492, a bill to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1576

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 1576, a bill to amend the Public Health